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July 21, 2022

Via ECF

Hon. Frederick J. Scullin, Jr.  
United States District Court  
Federal Building and U.S. Courthouse  
100 South Clinton Street, P.O. Box 7336  
Syracuse, New York 13261-7336

**Re: *New York State Teamsters Conference Pension and Retirement Fund v. C&S Wholesale Grocers, Inc.*, Case No. 16-cv-084; *New York State Teamsters Conference Pension and Retirement Fund v. C&S Wholesale Grocers, Inc.*, Case No. 21-cv-0906; *C&S Wholesale Grocers, Inc. v. New York State Teamsters Conference Pension and Retirement Fund*, Case No. 20-cv-1152**

Dear Judge Scullin:

We write on behalf of the New York State Teamsters Conference Pension and Retirement Fund (the "Fund") in response to the Court's July 7 Order directing the Fund to inform the Court once it has determined whether to file a petition for rehearing with the Supreme Court in connection with its appeal of Case No. 16-cv-084. The Fund has determined that it will not file a petition for rehearing.

Accordingly, the Fund agrees with C&S Wholesale Grocers, Inc. that Cases No. 21-cv-0906 and 20-cv-1152 should now be dismissed as moot.

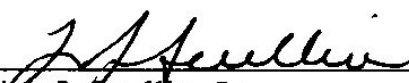
Respectfully,

PARAVATI, KARL, GREEN & DEBELLA, LLP

/s/ Vincent M. DeBella  
Vincent M. DeBella, Esq.  
(Bar Roll No. 101465)

Date: July 28, 2022

CC: All Counsel of Record (via ECF) IT IS SO ORDERED.

  
Frederick J. Scullin, Jr.  
Senior United States District Judge